

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 10/530,972 (Patent No. 7,696,163)

Confirmation No. 2406

Applicant: DeFrees et al.

Filed: October 13, 2006 (Issued April 13, 2010)

TC/AU: 1654

Examiner: Thomas Sweeney Heard

Docket No.: 705703 (Client Reference No. NEO00265US2; 7991.204-US)

Customer No.: 23460

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION TO CORRECT UNINTENTIONALLY DELAYED CLAIM OF
PRIORITY UNDER 35 U.S.C. § 120**

Sir:

Applicants hereby petition to correct the priority of the above-identified patent pursuant to 37 CFR 1.78(a).

The above-identified patent issued from U.S. Patent Application No. 10/530,972, which represents the U.S. national phase of International Application No. PCT/US03/31974, filed October 8, 2003. The U.S. national phase was commenced on April 11, 2005. The Application Data Sheet filed at that same time, i.e., on April 11, 2005, identifies International Application No. PCT/US02/32263, filed October 8, 2003, as an application to which International Application No. PCT/US03/031974 claims domestic priority as a continuation-in-part. Furthermore the Application Data Sheet indicates that International Application No. PCT/US03/31974 claims priority to U.S. Patent Application No. 10/410,945, filed April 9,

2003; to U.S. Patent Application No. 10/360,779, filed February 19, 2003; to U.S. Patent Application No. 10/360,770, filed January 6, 2003; and to International Application No. PCT/US02/32263, filed on Oct. 9, 2002. Indeed, the publication of International Application No. PCT/US03/031974 indicates on its face that International Application No. PCT/US03/031974 claims priority to International Application No. PCT/US02/32263 as well as to U.S. Patent Application No. 10/410,945 filed April 9, 2003, U.S. Patent Application No. 10/360,770 filed January 6, 2003, and U.S. Patent Application No. 10/360,779, filed February 19, 2003.

To the extent that the claim for priority as described above was in error, Applicants respectfully request that the priority claim in the above-identified patent be corrected, by issuance of a Certificate of Correction, to reflect that above-identified patent is the U.S. national phase of International Application No. PCT/US03/31974, filed October 8, 2003, and further, that International Application No. PCT/US03/31974, in turn, is (1) a continuation-in-part of U.S. Patent Application No. 10/410,945, filed April 9, 2003, which is a continuation-in-part of International Application No. PCT/US02/32263, filed on Oct. 9, 2002; (2) a continuation-in-part of U.S. Patent Application No. 10/360,779, filed February 19, 2003, which is a continuation-in-part of U.S. Patent Application No. 10/287,994, filed on November 5, 2002, which is a continuation-in-part of International Application No. PCT/US02/32263, filed on October 9, 2002; (3) is a continuation-in-part of U.S. Patent Application No. 10/360,770, filed January 6, 2003, which is a continuation-in-part of U.S. Patent Application No. 10/287,994, filed on November 5, 2002, which is a continuation-in-part of International Application No. PCT/US02/32263, filed on Oct. 9, 2002; and (4) is a continuation in part of International Application No. PCT/US02/32263, filed on Oct. 9, 2002.

In accordance with 37 C.F.R. §§ 1.78(a)(1), 1.78(a)(2), and 1.78(a)(3), Applicants note the following:

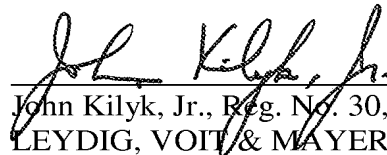
(i) The reference required by 35 U.S.C. § 120 and 37 C.F.R. § 1.78(a)(2) to the prior-filed applications is submitted herewith by way of a supplemental Application Data Sheet.

(ii) As regards the surcharge set forth in 37 C.F.R. § 1.17(t), the Commissioner is authorized to charge the processing fee of \$1,410.00 set forth in 37 C.F.R. § 1.17(t), as well as any other fee in connection with this Petition, to Deposit Account No. 12-1216.

(iii) Applicants hereby state and confirm that the entire delay between the date the claim was due under 37 C.F.R. § 1.78(a)(2)(ii) and the date the claim was filed was unintentional.

If a telephone conference would expedite the handling of this Petition, the Office is invited to call the undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Kilyk, Jr.", is written over a horizontal line.

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